



Attorney Docket No. 061300-0924

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Daly et al.
Title: MIXING DRUM DRIVE RING
Application No.: 10/549,566
International Filing Date: 08/15/2003
371(c) Date: Not yet assigned
Examiner: Not yet assigned
Art Unit: Not yet assigned
Confirmation No.: 7531

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 904371647 US (Express Mail Label Number)	November 28, 2006 (Date of Deposit)
Deborah A. Kocorowski (Printed Name)	

Mail Stop **AMENDMENT**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.56

Submitted herewith on Form PTO/SB/08 is a listing of documents known to the Applicants in order to comply with the Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 C.F.R. § 1.97 and § 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 C.F.R. § 1.56(b). The Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 C.F.R. § 1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Certain documents listed on the attached PTO/SB/08 were cited as being relevant during the prosecution of the corresponding PCT International Application. A copy of the PCT International Search Report is attached setting forth the portion of each document considered relevant by the examiner. An English-language counterpart of the foreign-language documents has been provided where readily available. The absence of a translation or an English-language counterpart document does not relieve the PTO from its duty to consider any submitted document (37 C.F.R. § 1.98 and M.P.E.P. § 609).

The Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with M.P.E.P. § 609.

The following non-English language references are listed on the accompanying form

PTO/SB/08:

The abstract of Russian Document RU 2 052 350 C1 discloses: FIELD: manufacture of building materials. SUBSTANCE: mixer truck has a mixing drum with a bottom and with spiral blades mounted for rotating on a transport facility and a drive of reversible rotation. Mixing members are mounted inside the spiral blades. They are uniformly arranged along the circumference, are fixed to the drum bottom by one end and their cross-section has a bioconcave shape. The exterior surface of the spiral. EFFECT: enhanced quality.

The abstract of German Document DE 40 10 539 A1 discloses: Spiral is made up from sections of steel plate and is welded to the inside wall of drum. Exposed edges of spiral have protective strip which is made of wear-resistant material. Cross-section of strip consists of top and sides and is at least partly 'U'-shaped. Pref. strip is fixed to spiral (14) using rivet (28). Countersunk holes (30) protect rivet heads. ADVANTAGE – Protective strip increases life of mixing drum. With prior art, replacement of strip is expensive.

The abstract of Japanese Document JP 53-88261 discloses: PURPOSE: To provide the front wall structure of a mixer drum in a concrete mixer car, wherein the strength of the front wall of a mixer drum, which particularly necessitates rigidity, is conspicuously enhanced, the weight of the full mixer drum is reduced, and adherence of raw concrete to the inner surface of the front wall is reduced as less as possible.

Although the Applicants believe that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 06-1447.

Respectfully submitted,

By 

John M. Lazarus
Attorney for the Applicants
Registration No. 48,367

Date 11/28/2006

FOLEY & LARDNER LLP
Customer Number: 26371
Telephone: (414) 297-5591
Facsimile: (414) 297-4900

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT NOV 28 2006 Date Submitted: November 28, 2006 (use as many sheets as necessary)				Complete if Known	
Part 1		of	2	Application Number	10/549,566
				International Filing Date	08/15/2003 (371(c) Date not yet assigned)
				First Named Inventor	Ted Daly
				Group Art Unit	Not yet assigned
				Examiner Name	Not yet assigned
				Attorney Docket Number	061300-0924

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1.	5,839,924		Ritson	11-24-1998	
	A2.	5,816,702		Mays et al.	10-06-1998	
	A3.	5,772,938		Sharp	06-30-1998	
	A4.	5,492,401		Halsted	02-20-1996	
	A5.	5,487,604		Moran	01-30-1996	
	A6.	5,460,675		Moser	10-24-1995	
	A7.	5,441,341		Halsted	08-15-1995	
	A8.	5,432,211		Morita et al.	07-11-1995	
	A9.	5,427,449		Christenson et al.	06-27-1995	
	A10.	5,399,192		Yamasoe	03-21-1995	
	A11.	5,378,061		Christenson	01-03-1995	
	A12.	5,302,017		Platek et al.	04-12-1994	
	A13.	Re. 34,505		Whiteman, Jr.	01-11-1994	
	A14.	5,178,457		Helmy	01-12-1993	
	A15.	5,118,198		Whiteman, Jr.	06-02-1992	
	A16.	5,056,924		Christenson	10-15-1991	
	A17.	4,937,010		Maillet	06-26-1990	
	A18.	4,877,327		Whiteman, Jr.	10-31-1989	
	A19.	4,822,272		Yanase et al.	04-18-1989	
	A20.	4,756,623		Bishop	07-12-1988	
	A21.	4,750,840		Bishop	06-14-1988	
	A22.	4,655,602		Tomlinson	04-07-1987	
	A23.	4,634,284		Bishop	01-06-1987	
	A24.	4,585,356		Hudelmaier	04-29-1986	
	A25.	4,569,648		Riederer et al.	02-11-1986	
	A26.	4,525,228		Bowen	06-25-1985	
	A27.	4,521,116		Adsit	06-04-1985	
	A28.	4,491,415		Bishop	01-01-1985	
	A29.	4,435,082		Bishop	03-06-1984	
	A30.	4,363,687		Anderson	12-14-1982	
	A31.	4,223,997		Violet et al.	09-23-1980	
	A32.	4,086,378		Kam et al.	04-25-1978	
	A33.	4,064,956		Wildey	12-27-1977	
	A34.	3,929,321		Sims	12-30-1975	
	A35.	3,795,121		Cressman	03-05-1974	
	A36.	3,717,328		Stevenson	02-20-1973	
	A37.	3,700,512		L. E. Pearson et al.	10-24-1972	
	A38.	3,592,448		Stevenson	07-13-1971	
	A39.	3,144,242		W. A. Retzlaff	08-11-1964	
	A40.	2,696,372		C. Gerst	12-07-1954	
	A41.	2,511,240		C. I. Bohmer et al.	06-13-1950	

Examiner Signature	Date Considered
--------------------	-----------------

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

MILW_2121355

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p style="text-align: center;">Substitute for form 1449B/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p>Date Submitted: November 28, 2006 <i>(use as many sheets as necessary)</i></p>				Complete if Known	
Sheet	2	of	2	Application Number	10/549,566
				International Filing Date	08/15/2003 (371(c) Date not yet assigned)
				First Named Inventor	Ted Daly
				Group Art Unit	Not yet assigned
				Examiner Name	Not yet assigned
				Attorney Docket Number	061300-0924

UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS

UNPUBLISHED U.S. PATENT APPLICATION						
Examiner Initials*	Cite No. ¹	U.S. Patent Application Document		Name of Patentee or Applicant of Cited Document	Filing Date of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Serial Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
A42.	WO	2005/095073	A1	Khouri et al.	10-13-2005			
A43.	WO	2005/025657	A1	Wood et al.	03-24-2005			
A44.	WO	2005/025438	A1	Phan et al.	03-24-2005			
A45.	WO	2005/018899	A1	Khouri	03-03-2005			
A46.	WO	2005/018898	A1	Khouri	03-03-2005			
A47.	WO	2005/018897	A1	Khouri et al.	03-03-2005			
A48.	WO	03/101694	A1	Khouri	12-11-2003			
A49.	WO	01/26871	A1	Rodgers	04-19-2001			
A50.	WO	97/32702	A1	Fitzpatrick	09-12-1997			
A51.	RU	2 052 350	C1	Adamenko et al.	01-20-1996			
A52.	GB	2 274 404	A	Gawron	07-27-1994			
A53.	SU	1796533	A1	Bujlov et al.	02-23-1993			
A54.	DE	40 10 539	A1	Schreyer	10-10-1991			
A55.	SU	977188		Batenin et al.	11-30-1982			
A56.	GB	2 032 793	A	Zupancic et al.	05-14-1980			
A57.	JP	53-88261		Kuwabara	08-03-1978			
A58.	SU	421520			03-30-1974			
A59.	DE	956378		Wilfert	01-17-1957			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A60.	PCT International Search Report, based on International Application No. PCT/AU00/01226, Date of mailing of the International Search Report December 6, 2000 (2 pgs.).	

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO
International Patent Office). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent.
⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

English language translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Alexandria, VA 223
MII W 2121355